



Docket No. END5011USNP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Hal H. Katz Confirmation No: 5088
Serial No. : 10/791,959 Art Unit: 3763
Filed : March 3, 2004 Examiner: Christopher Koharski
For : PATIENT MONITORING AND DRUG DELIVERY SYSTEM AND
METHOD OF USE

I hereby certify that this correspondence is being deposited with the
United States Postal Service as first class mail in an envelope addressed
to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on

Aug 2006
(Date of Deposit)

Linda F. Hansen
(Name of applicant, person signing, assignee, or Registered Representative)

(Signature)

Aug 2006
(Date of Signature)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be

prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with the first or second After Final Submission, therefore:

Statement in Accordance with §1.97(e) (attached); or
 Please charge Deposit Account No. 10-0750/ / the fee of
\$180.00 as set forth in §1.17(p).

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

Statement in Accordance with §1.97(e) (attached); or
 Please charge Deposit Account No. 10-0750/END5011USNP/VEK the fee of \$180.00 as set forth in §1.17(p).

In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for

consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

Copies of only foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98 (a)(2).

Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed

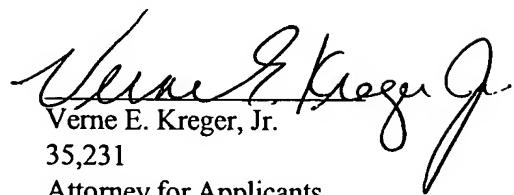
Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/END5011USNP/VEK.

10/791,959

IDS

Respectfully submitted,


Verne E. Kreger, Jr.
35,231
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
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(513) 337-3295
DATED: Aug 7, 2006



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Application Number

10/791,959

Filing Date

March 3, 2004

First Named Inventor

Hal H. Katz et al.

Group Art Unit

3763

Examiner Name

Christopher Koharski

Attorney Docket Number

END5011USNP

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		5,957,885	A	Bollish et al.	9/28/99	ALL
		5,980,501	A	Gary	11/09/1999	ALL

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	KindCode ⁵				
		WO	99/62403	A1	Scott Laboratories Inc.	12/9/1999	ALL	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



AUG 07 2006

SUBMISSION UNDER MPEP 609 D

Page 1 of 1

<i>Application Number</i>	10/791,959
<i>Filing Date</i>	March 3, 2004
<i>First Named Inventor</i>	Hal H. Katz et al.
<i>Group Art Unit</i>	3763
<i>Examiner Name</i>	Christopher Koharski
<i>Attorney Docket Number</i>	END5011USNP

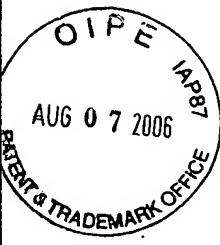
U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner 's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		EPO Search Report dated May 31, 2006 for corresponding patent application, European Patent Application No. PCT/US04/06458	

Examiner Signature	Date Considered	
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PATENTS

UNITED STATES PATENT AND TRADEMARK OFFICE

Application: 10/791,959 **Examiner:** Christopher Koharski
Filed: 03/03/2004 **Art Unit:** 3763
Inventor: Hal H. Katz **Atty Ref.:** END5011USNP
Title: PATIENT MONITORING AND DRUG DELIVERY SYSTEM AND
METHOD OF USE

TRANSMITTAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing are the following papers for the above-referenced patent application:

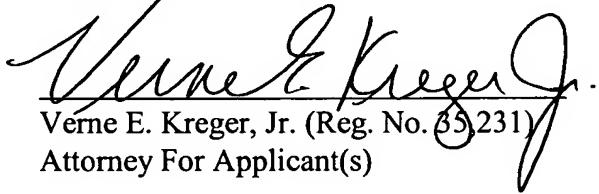
1. IDS, Form 1449, MPEP 609(d), International Search Report
2. Copies of non-US patent cited art
3. Self-addressed postage prepaid return receipt postcard.

The fee has been calculated as shown below:

	Number of Claims	Highest Previous Paid For	Extra Claims	Rate	Fee (@Dollars)
Total Claims		0	x \$50 =	0	
Independent Claims		0	x \$200 =	0	
If multiple dependent claims, add \$130.00					n/a
TOTAL FEE DUE					

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 10-0750/END5011USNP/VEK, including any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18.

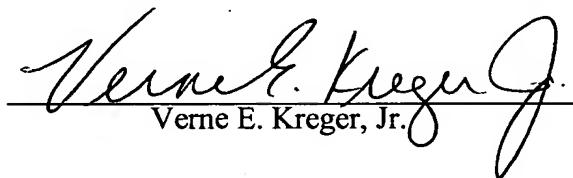
Respectfully submitted,


Verne E. Kreger, Jr. (Reg. No. 35,231)
Attorney For Applicant(s)

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Tel: (513) 337-3295

I hereby certify that this correspondence is being sent via U.S. Postal Service to the US Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313 on

August 3 2006


Verne E. Kreger, Jr.



Docket No. END5011US

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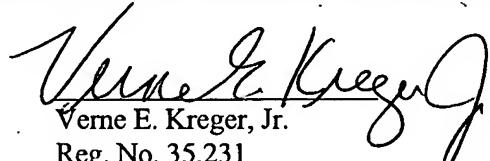
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. §1.97(e)

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or

No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.


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DATED: August 1, 2006